

REMARKS

Claims 1-12 are pending. No amendments have been made by way of the present submission, thus, no new matter has been added.

Objections to the Claims

The Examiner objects to claims 4 and 8. (*See*, Office Action of October 9, 2007, at page 4, hereinafter, "Office Action"). The Examiner states that claims 4 and 8 are objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. (*Id.*). However, Applicants submit herewith a verified English language translation of the priority document DE 10315735.2 filed on April 4, 2003 which antedates Dow, U.S. Patent Application Publication No. 2004/0259887. Dow is the Examiner's sole prior art cited against the present claims under 35 U.S.C. § 103(a), which is the sole rejection barring allowance of the remaining claims 1-3, 5-7 and 9-12.

Therefore, Applicants believe that by submission of the verified English language translation of the priority document DE 10315735.2, all claims are in condition for allowance.

Reconsideration and withdrawal of the objection to claims 4 and 8 are respectfully requested.

Rejections Under 35 U.S.C. § 103(a)

Claims 1-3, 5-7 and 9-12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable as obvious over Dow, U.S. Patent Application Publication No. 2004/0259887 (hereinafter,

“Dow”). (*See*, Office Action, at pages 2-4). Applicants traverse the rejection as hereinafter set forth.

Applicants submit herewith a verified English language translation of the priority document DE 10315735.2 filed on April 4, 2003 which antedates Dow, U.S. Patent Application Publication No. 2004/0259887, which was published on December 23, 2004, and claims priority to a U.S. Provisional Patent Application Serial No. 60/479,746, filed on June 18, 2003. Applicants believe this removes Dow as prior art, thus obviating the rejection.

CONCLUSION

If the Examiner has any questions or comments, please contact Thomas J. Siepmann, Ph.D., Registration No 57,374, at the offices of Birch, Stewart, Kolasch & Birch, LLP.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

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Respectfully submitted,

By 

Andrew D. Meikle

Registration No.: 32,868

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicants

Attachments: Verified English language translation of priority document DE 10315735.2